

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA  
SAVANNAH DIVISION**

**BUILDER SERVICES GROUP, INC.  
d/b/a GALE CONTRACTOR  
SERVICES,**

**Plaintiff,**

**v.**

**FOSTER INSULATION AND  
PRODUCTS, LLC, and RICHARD L.  
QUARLES, JR.,**

**Defendants.**

**Civil Action No: 4:18-cv-00160-WTM-GRS**

**CONSENT TEMPORARY RESTRAINING ORDER**

THIS MATTER came before the Court on Plaintiff Builder Services Group, Inc. d/b/a Gale Contractor Services' ("BSG") Motion for Temporary Restraining Order. With the consent of the Parties:

**IT IS HEREBY ORDERED** that, effective July 25, 2018, and until such time an order is issued on BSG's Motion for Preliminary Injunction or upon expiration of thirty (30) days from the date of this Order, whichever is later, Foster Insulation and Products, LLC and its officers, agents, representatives, employees except for Defendant Richard L. Quarles, Jr. ("Quarles") unless Quarles remains in Foster's employ, and those persons acting in concert or participation with them (collectively, "Foster") be enjoined upon the following terms:

1. No later than 5:00 p.m. on July 30, 2018, Foster shall provide to counsel for BSG all documents, files, and other materials containing or comprising the following: BSG's internal plans and ideas for expansion and development of new services and products; internal customer lists, account receivable information and reports, internal analysis of customers and prospective

customers, compilations of information about particular needs and preferences of customers; costs, specifications, processes, and related non-public pricing information; business and marketing plans; internal financial records, projections, and analysis; internal information and analysis regarding business opportunities (including, without limitation, candidates, plans and techniques for acquisitions, joint ventures, partnerships and alliances); personal evaluations and internal personnel management information, and specialized procedures and techniques used in the management, operation, or training functions of BSG that are not disclosed to persons outside of BSG (collectively the “Protected Data”);

2. Foster is immediately enjoined from disclosing, using, or in any way relying on the Protected Data, to the extent the same is not public knowledge;

3. Foster shall not employ Quarles in any manner or for any purpose that would cause Quarles to be in breach of his May 15, 2012 Confidentiality Agreement, including, but not limited to, Quarles selling or attempting to sell to, or provide any goods, products or services on Foster’s behalf of the type or substantially similar to the type Quarles sold or attempted to sell when Quarles was employed by BSG, to any customer of BSG to whom Quarles, directly or indirectly, attempted to sell or provide any good, product, or service during his employment with BSG;

4. Foster and BSG agree that nothing in this Consent Order shall serve as an admission of any wrongdoing by Foster, that Foster has ever been in possession of the Protected Data, and that Foster reserves all its rights and defenses with regard to the claims asserted by BSG in the above-styled civil action. Foster and BSG further agree that this Consent Order may not be used in any manner other than to enforce the terms set forth herein.

IT IS FURTHER ORDERED that since no costs and damages may be incurred or suffered by Foster from the above prohibitions, no security is required from BSG.

This the 23<sup>RD</sup> day of July, 2018.



William Theodore Moore Jr.  
District Court Judge, Presiding

CONSENTED TO:

/s Benjamin P. Fryer

/s Andrew J. Becker

FILED  
U.S. DISTRICT COURT  
SAVANNAH DIV.  
2018 JUL 23 PM 2:48  
CLERK  
SO. DIST. OF GA.